

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
Richmond Division**

DONNA K. SOUTTER,)	
For herself and on behalf of all similarly)	
situated individuals,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION NO. 3:10-cv-00107
)	
EQUIFAX INFORMATION)	
SERVICES LLC,)	
)	
Defendant.)	

DECLARATION OF SANDRA COX BLOUNT

I, Sandra Cox Blount, hereby declare:

1. I, Sandra Cox Blount, Clerk of the City of Richmond General District Court – Civil Division hereby declare as follows and have personal knowledge of the matters herein.
2. As part of my responsibilities, I supervise and administer the civil case docket and oversee the filing of civil cases with the clerk's office which includes the entry, update and notation of the disposition of cases in the automated Case Management System known as "CMS."
3. Generally, the Clerk's Offices throughout the State of Virginia follow procedures and guidelines as developed by the Office of the Executive Secretary of the Supreme Court of Virginia. These guidelines are published in the Courts Automated Information System - General District Court Case Management System User's Guide.

4. The user's manual has been established as a tool to assist clerks with entering and updating cases and entering case dispositions into CMS when a decision is rendered. Our Clerk's office follows these long established reference materials. Va. Code §16.1-69.40 permits the clerk to enter more information than is identified in the User's guide to allow the public viewing of this information to have a clearer understanding of the outcome of a case. In my experience, this oftentimes reduces or eliminates the necessity of a telephone inquiry to the clerk's office.

5. When the Court receives a Notice of Satisfaction and the notice complies Va. Code § 16.1-94.01,¹ the Clerk's Office will then mark the judgment satisfied.

6. As long as a Notice of Satisfaction complies with Va. Code § 16.1-94.01, the Clerk's Office is authorized to mark the judgment satisfied. Each satisfaction will appear on the GV12 Judgment Satisfied Report. The clerk requests this report each Friday. The report prints on the following Monday. This report contains satisfied judgments that were entered during the one-week period beginning on the Monday before the two weeks prior to the request. For example, the report requested on October 8, 2010 contains the satisfied judgments entered during the week of September 20, 2010. The report is printed and maintained by the Clerk's Office until such time that an employee of

¹ In pertinent part, § 16.1-94.01, titled "When and how payment or discharge entered on judgment," states that "When payment or satisfaction of any judgment rendered in a court not of record is made, the judgment creditor shall by himself, or his agent or attorney, give written notice of such payment or satisfaction, within thirty days of receipt, to the clerk of the court in which the judgment was rendered. Such notice shall include the docket number, the names of the parties, the date and amount of the judgment, and the date of the payment or satisfaction. The clerk of the court shall then mark the judgment satisfied." *Id.*

a credit-reporting agency requests it. Case specific information is also available on-line via the internet on the Virginia Judicial System Website.

7. In addition to the printed Satisfaction Report, the fact of the satisfaction of a judgment is also noted in CMS. Such notation makes the Notice of Satisfaction available to the public via the internet on the Virginia Judicial System Website.

8. Judgments may also be vacated by the Court on a party's motion or on the Court's own motion. When a motion is brought forward to the Court and a judgment is vacated, the case disposition is updated in CMS by the clerk. This information is available to the public on the Virginia Judicial Website.

9. Copies of vacated judgments are placed in a specific area of the Clerk's Office and are available to the public. It is labeled "Credit Bureau Strikes." A stamp is placed on the copy of the original judgment that states "Strike From Your Records" advising that the judgment should no longer be on the defendant's credit history. This procedure has been a function of the clerk's office for many years. The "strikes" and the Satisfied Report are available upon request by a credit-reporting agency or other member of the public.

10. When written notice of intention to appeal a case from this court to the Circuit Court of the City of Richmond is received, that information is noted in CMS. Once the appeal is perfected, the perfection date is noted in CMS. This information is available to the public on the Virginia Judicial website. There is

also a notation at the top of each of these appealed cases that future inquiries should be made of the Circuit Court. To my knowledge, no credit-reporting agency has requested this information from this office.

11. In order to provide the public access to case information, this court has three public access terminals. These terminals are located in the lobby of the clerk's office. In addition, a printer is available for the public to print the information available from the access terminals. The public must provide paper for the printers.

12. To date, the clerk's office has not received any complaints about the manner in which case information is disseminated. When a party wishes to see a particular file(s), our deputy clerks will pull the case(s) and stay with the individual while the case is being reviewed to insure safe keeping of the court record.

Pursuant to 28 U.S.C. § 1746, I declare under the penalty of perjury under the laws of the Commonwealth of Virginia and the United States of America that to the best of my knowledge the foregoing is true and correct.

Executed this 18th day of November, 2010, at Richmond, Virginia.

By: 
Sandra Cox Blount